

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY,
COLORADO, **JUNE 24, 2004**. IN ATTENDANCE WERE:

JERRY BERGEMAN, CHAIRMAN GREG WINKLER, COUNTY ADMINISTRATOR
BOB CAMPBELL, VICE-CHAIRMAN CHRIS BRANDT, COUNTY ATTORNEY
JIM IGNATIUS, COMMISSIONER CHRISTI HEPPARD, DEPUTY CLERK & RECORDER

9:15 The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek with Chairman Bergeman presiding. Mr. Ignatius gave the invocation. The Pledge of Allegiance was led by Mr. Brandt.

MINUTES OF PREVIOUS MEETINGS:

No minutes were available.

ACCOUNTS PAYABLE:

Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the accounts payable run of June 22, 2004, in the amount of \$559,591.03 as presented**. All commissioners voted yes.

BOARD REPORTS:

Mr. Ignatius reported that he will be attending a ribbon cutting at the Arts Center in Woodland Park on Friday, June 25, 2004. He reported attending a successful fundraiser that was held by the Rotary Club for the benefit of the proposed hospital.

Mr. Campbell announced that Donkey Derby Days would be held in Cripple Creek the weekend of June 26 & 27 and that a large 4th of July celebration would be held in Memorial Park in Woodland Park. He reported that he and his family attended the opening of the Butte Opera House Melodrama.

Mr. Bergeman also reported attending the melodrama. He announced that Bob Bergman's wife passed away.

9:20 TIME RESERVED FOR ELECTED OFFICIALS, DEPARTMENT HEADS AND THE PUBLIC WITHOUT PRIOR APPOINTMENT:

No one requested to speak.

9:20 COMMISSIONER'S BUSINESS ITEMS:

PRESENTING: GREG WINKLER

CONSIDER AUTHORIZATION OF SPECIAL USE PERMIT FOR TELLER COUNTY DEPARTMENT OF TRANSPORTATION TO USE LAND IN FLORISSANT FOSSIL BEDS NATIONAL MONUMENT:

The agreement is for road work on Teller County Road One through the Florissant Fossil Beds.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the special use permit**. All commissioners voted yes.

CONSIDER APPROVAL OF LETTER OF EXTENSION FOR PROFESSIONAL SERVICES AGREEMENT WITH FOX AND COMPANY:

The letter is to extend the date of contract for review and comment of the proposed Teller County Land Use Regulations to July 30, 2004.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **authorize the letter of extension**. All commissioners voted yes.

CONSIDER APPROVAL OF AMENDMENT OF PIKES PEAK GEOSPATIAL ALLIANCES' INTERGOVERNMENTAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING:

The agreement is for the contract for aerial photographs of Teller County. The photos are used by emergency services and the Assessor's office. The amount of the contract is \$40,000.00.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve the agreement and memorandum of understanding and authorize the chairman to sign**. All commissioners voted yes.

CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR EXCHANGE OF CONFIDENTIAL HEALTH INFORMATION BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND TELLER COUNTY PUBLIC HEALTH:

The memorandum relates to the exchange of confidential health information between the two entities as required by HIPPA.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve the memorandum of understanding**. All commissioners voted yes.

CONSIDER APPROVAL OF CONTRACT BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND TELLER COUNTY TO IMPLEMENT A COMPREHENSIVE TOBACCO CONTROL PROGRAM:

The contract awards the County \$15,000 to support anti-smoking literature and events such as Red Ribbon Week and the Great American Smoke-Out.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the contract**. All commissioners voted yes.

CONSIDER SPECIAL EVENTS PERMIT FOR MS150 BIKE RIDE:

The permit is for a bicycle ride to be held July 10 & 11, 2004. The ride will cover areas of Jefferson, Teller and El Paso Counties.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve the special events permit**. All commissioners voted yes.

CONSIDER RATIFICATION OF BUILD A GENERATION GRANT APPLICATION:

The application is to continue Title 5 funding in the amount of \$28,00.00.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the board **approve the ratification**. All commissioners voted yes.

INFORMATIONAL: SENATE BILL 94 REGARDING JUVENILE SERVICES OVERSIGHT PLANNING COMMISSION FOR THE 4TH JUDICIAL DISTRICT:

An order has been signed appointing members to the committee.

CONSENT TO APPOINT DEPUTY DISTRICT ATTORNEY LINDSEY GARLAND

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the board **approve the appointment**. All commissioners voted yes.

INFORMATIONAL: GREAT OUTDOORS COLORADO GRANT:

The County has received a grant from GOCO in the amount of \$74,050.00 for improvements to the Florissant Community Park. Kevin Tanski, Parks Coordinator reported that construction began June 23, 2004. Completion was scheduled for November 2004.

INFORMATIONAL: INTRODUCTION OF FRED CLIFFORD, FLEET SERVICES DIRECTOR:

Mr. Winkler introduced Fred Clifford, the new fleet services director.

9:34 EMPLOYEE SERVICE AWARDS:

Mr. Bergeman announced that a 5 year service award would be presented to Carl Nolan, Detention Officer.

Ms. Kim Mauthe presented a 5 year service award to Lisa Lindgren, Social Services Caseworker.

Mr. Winkler presented Craig Alexander, Information Technologies Director, with a 15 year service award.

Mr. Winkler presented Jeremy Huffman, Director of Social Services, with a 10 year service award.

Mr. Bergeman presented Mr. Winkler, County Administrator, with a 15 year service award.

9:50 ADMINISTRATION: INFORMATIONAL PRESENTATION OF THE NEGOTIATIONS RELATED TO IMPLEMENTATION OF THE ACCESS AGREEMENT (AS AMENDED) BETWEEN THE PAUL FRANCIS AND MURIEL C FRANCIS AND THE CATAMOUNT INSTITUTE (SUCCESSOR OWNERS) AND TELLER COUNTY. PROPOSING AN EXCHANGE OF LAND TO PROVIDE PUBLIC ACCESS TO THE TELLER COUNTY CATAMOUNT OPEN SPACE PROPERTY AND THE LEASE OF PROPERTY FOR SCIENTIFIC EXPERIMENTATION AND EDUCATIONAL PURSUITS OF THE CATAMOUNT INSTITUTE:

PRESENTING: GREG WINKLER

Mr. Winkler presented information regarding the project and the history of the land transaction. The access agreement calls for an exchange of property between Teller County and the Catamount Institute. The proposal is to trade 42-acre parcels in order to provide public access to the Catamount Ranch. Additionally, the proposal provides for a long-term lease of 230 acres to be used for scientific and environmental research and public education. The proposal has been discussed with and approved by the Palmer Land Trust and Great Outdoors Colorado. Amendments to the current conservation easement are under discussion with the Palmer Land Trust.

Mr. Winkler displayed a map of the area showing current parcels and how the parcels would appear after the exchange. He asked that the Board open the proposal for public input at the Board meeting to be held on July 8, 2004. He read a letter from GOCO expressing approval and consent of the proposal.

Mr. Howard Grossman, co-founder of the Catamount Institute expressed the Institute's delight that a solution, which pleased all parties, had been reached.

Mr. Paul Annan, resident on Edlowe Road, expressed his concerns regarding the "in perpetuity" clause of the conservation easement. Mr. Winkler explained that the conservation easement will stay in place.

Mr. Annan expressed his concern that Edlowe Road would see an increase in public traffic. He asked if there was a plan for road improvement to handle increased usage. Mr. Winkler responded that he expected an increase in traffic for the first few months but that usage will significantly decrease after that time. He stated that the County will monitor road usage and make improvements if necessary.

Mr. Annan reported that he often has problems with trespassers who are trying to gain access to the water shed, which is located near his property. He asked if the County could post "No Parking" signs or determine another way of mitigating the illegal parking issue.

Brent Broadfoot, resident of Holiday Hills, also stated concerns about traffic and parking in the area. He provided examples of traffic problems. He asked for specifics of the planned parking lot's location, number of spaces and toilet facilities.

Mr. Winkler noted two proposed locations for the parking lot. He stated that the County's intent was to have visitors park on the parking lots, rather than Edlowe Road. Possible access for visitors to the North Reservoir was discussed.

Mr. Broadfoot asked for clarification of the proposed number of parking spaces. Mr. Winkler stated that current plans included between 20 and 23 space, but that the number had not yet been finalized. Mr. Broadfoot asked if there would be an increase in law enforcement presence, and, he asked about additional trash services. Due to the autonomous nature of elected officials, Mr. Winkler suggested that Mr. Broadfoot contact Sheriff Dougherty regarding law enforcement concerns.

Mr. Winkler stated that the county did not plan to open the property until all of the issues have been addressed. The target opening was scheduled approximately 12 months away.

Mr. Broadfoot requested assurance that his rights as a property owner would be weighed against the public's rights. Mr. Bergeman responded that the conservation easement guaranteed public use of the property. He also stated that the County's purchase of the property may have actually prevented impacts that would have arisen if the property had been developed for residential use.

Mr. Winkler stated that anyone interested in the proposed exchange may contact him regarding these issues. He assured that the County would continue to monitor the property and its usage and would adjust procedures as necessary.

Jeane Ann Gerard, resident of Edlowe Road, expressed her support for the project and asked if information about scientific and education research was available. Mr. Grossman provided website locations where the requested information can be found. Ms. Gerard asked if the proposal was available. Mr. Winkler replied that any interested party may obtain a copy.

Ms. Gerard asked if motorized vehicles would be allowed on the property. Mr. Bergeman clarified that the only motorized vehicles allowed would be for maintenance and emergency services. Kevin Tanski, Parks Coordinator, explained that the terms of the conservation easement would not allow access for motorized vehicles except for emergency services or maintenance and management purposes. He mentioned that horseback riding may be an allowable use, but that the potential for equestrian trails was still being evaluated.

Rick Langenberg, Mountain Jackpot Newspaper, asked about the location and number of trails. Mr. Tanski responded that information has not been finalized.

10:27 CDS-PLANNING: FORMALLY SET DATE FOR PUBLIC HEARING FOR UTE PASS REGIONAL AMBULANCE DISTRICT:

PRESENTING: CHRIS BRANDT

Mr. Brandt asked that the Board set the public hearing on the Service Plan for July 8, 2004.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **set the hearing date for the July 8, 2004 Board of County Commissioners meeting.** All commissioners voted yes.

10:30 LEGAL MATTERS:

PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

JAY BAKER DBA WOODLAND LANDSCAPE MATERIALS AND KARL HIRSCHBECK:

The matter has been scheduled for pre-trial conference on August 26, 2004. The defendants have filed answers to the complaint.

COLORADO CLASSIC LOG HOMES II, LTD.: A motion has been filed by Teller County for summary judgment taking the position that all matters have been decided. A response has been received. The court issued an order dismissing the claims against the County on June 3, 2004. The defendants have filed a motion for reconsideration.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 10:32 A.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder